**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**

**APPELLATE SIDE**

**CIVIL APPLICATION NO. 4374 of 2005.**
**IN**
**FIRST APPEAL ST.NO.22217 OF 2005.**

| Office notes, office memoranda of Coram, appearances, Court's orders or directions and Registrar's orders. | Court's or Judge's orders. |
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Shri P.J.Das for the Applicant.

Shri B.P.Shukla for the Respondent.

**CORAM : ABHAY S.OKA, J.**

**DATED : 10th April, 2006.**

**P.C.:**

1. Heard the learned Advocates for the the parties. The application is strongly opposed by the learned Advocate appearing for the Respondent. Sufficient cause is made out. However, the Respondent will have to be compensated by ordering payment of costs.

2. Rule is made absolute in terms of prayer clause (A) subject to condition that the Applicant will pay costs of Rs.1500/- to the Respondent within a period of four weeks from today. Payment of costs will be condition precedent.

**Judge.**